IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 21128 of 2007(M)

PETITIONER:

B. SARASWATHY AMMA,
W/O. G.BHASKARA KURUP, MANAGER, HIGH SCHOOL,
ARKANNOOR, AYUR, KOLLAM DISTRICT.

BY ADV. SRI.P.SANTHALINGAM
SRI.A.D.SHAJAN

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY PRINCIPAL SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR,
EDUCATION DEPARTMENT, THIRUVANANTHAPURAM.

4. DISTRICT EDUCATIONAL OFFICER,
KOTTARAKKARA.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 21128 OF 2007

Dated this the 25th day of July, 2007

J U D G M E N T

Petitioner is stated to be the manager of an Aided High School. The issue involved in this writ petition relates to the denial of approval of appointments of Mr. Jacob Abraham as H.S.A (Hindi) and that of Sri. G. Ramesh as full time menial.

2. The controlling officer took the view that the above appointments were not liable to be approved, since the manager had not appointed a protected teacher in the school, which was a newly opened one. However, the Manager has raised several contentions in support of her plea that the view taken by the Departmental officer is not correct.

2. Anyhow, I do not propose to deal with any of the contentions raised by the petitioner in view of the limited prayer made by learned counsel for the petitioner at the Bar. He submits that petitioner has preferred Exts. P13 & P14 appeals before respondent No.2 against the orders passed by the controlling officer. The limited prayer is to issue a direction to respondent No.2 to take a decision on the appeals without any delay.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Exts. P13 & P14 strictly on their merit and in accordance with law, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that petitioner, manager and the two appointees are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007